

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

ARTHUR EUGENE FRISBY,	:	
	:	
Petitioner,	:	Civ. No. 21-12941 (RBK)
	:	
v.	:	
	:	
LAMINE N'DIAYE,	:	<b>MEMORANDUM &amp; ORDER</b>
	:	
Respondent.	:	
	:	

Petitioner is a federal prisoner proceeding *pro se* with a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. Presently pending before this Court is Respondent's request for an extension of time to file a response to the habeas petition. (*See* Dkt. No. 7). For the following reasons, Respondent's request is granted in part.

Respondent states he is seeking permission from the court that sentenced Petitioner, the Eastern District of Pennsylvania, to use Petitioner's Presentence Investigation Report ("PSR") in responding to Petitioner's habeas petition. (*See id.*) Respondent states his request to use the PSR has not been decided. Respondent states he will file a response to Petitioner's habeas petition in this action within three (3) days from when the Eastern District of Pennsylvania decides his request to use the PSR.

It is unclear when the Eastern District of Pennsylvania will decide Respondent's request. This Court is disinclined to grant Respondent an open-ended unknown period in which to file a response to Petitioner's habeas petition. Therefore, this Court will grant Respondent an extension of time to file a response to the habeas petition, but for a time certain.

Accordingly, IT IS on this 5<sup>th</sup> day of January 2022,

ORDERED that Respondent's request for an extension of time to file a response to Petitioner's habeas petition (Dkt. No. 7), is granted in part; Respondent shall file a response to the habeas petition within thirty (30) days of the date of this order; and it is further

ORDERED that the Clerk shall serve this order on Petitioner by regular U.S. mail.

s/ Robert B. Kugler  
ROBERT B. KUGLER  
United States District Judge